

Present: Jane Connolly, Chairman; Don Saltzman, Stephan Grozinger, Ken Edgar, Pierre Ratte, Britta Lerner and Joe Limone, Vice Chairman via speaker phone at 9:50 p.m.

Also present: Land Use Director

Digitally recorded on 4/1/13

APPROVAL OF MINUTES: 3/18/13 - Postponed until the end of the meeting.

LOT DEVELOPMENT CONT: LOT 2, NEW HOUSE, 9 HILL CREST (BARCELLO SUBDIVISION) (D'AMICO ASSOC.)

Fred D'Amico of D'Amico Associates was present to discuss his application for a new house on Lot 2 of the Barcello Subdivision at 9 Hill Crest for owners Yuan Lin & Kuei Ting Liu. Mr. D'Amico went over the proposed plan in detail for the new house. His application file is complete including Conservation approval. Questions arose from the members regarding the location and height of the house and the shared driveway.

After discussion, Don Saltzman moved that the Commission approve the draft lot development plan Erosion Control Bond Estimate for Lot 2 in the Barcello Subdivision at 9 Hill Crest for owners Yuan Lin & Kuei Ting Liu. Seconded by Jane Connolly. Vote in favor (6-0) Joe Limone absent.

RECEIPT OF APPLICATION/DISCUSSION: REFERRAL FROM CODE ENFORCEMENT OFFICER, ZONING PERMIT APPLICATION FOR FARM STAND AND RELATED PARKING, 227 LYONS PLAIN ROAD (CHESTNUT FARM LLC)

The application for a farm stand and related parking for Chestnut Farm LLC at 227 Lyons Plain Road has been withdrawn.

APPLICATION FOR ZONING PERMIT, INTERIOR WORK FOR J.K. CAFÉ AT COBB'S MILL INN, 12 OLD MILL ROAD (D. FRIEDMAN) (REFERRAL FROM ZONING ENFORCEMENT OFFICER PER STANDARD OPERATING PROCEDURES MEMO DATED JUNE 20, 2011) CONTINUED.

Drew Friedman and Elayne Cassara, owners of Cobb's Mill Inn were present.

COBB'S MILL CONT:

Don Saltzman stated that the Police Commission was meeting on 4/2/13. Since a traffic study for Old Mill Road was on their agenda, should the Planning & Zoning Commission wait and have a special meeting? The Chairman felt that the Commission should move forward.

The Chairman read two letters from residents into the record (attached) and then asked if there were any members of the public who would like to speak. Nancy Kessler and Elizabeth Clark voiced their approval for the Café by submitting two petitions totaling 300 names that were in favor of the Café. Drew Friedman presented these petitions to the Commission. Bob Ferguson appreciated that it is a legal issue but that laws can be interpreted. A Newtown Turnpike resident stated that she would love to have a place to go for coffee but was really concerned about the traffic it would cause. Jess DePasquale was in favor of the project as long as it was done within the proper guidelines.

Drew Friedman read a prepared statement to the Commission recounting the history of Cobbs Mill and its commercial activity.

The Commission members then had a lengthy discussion regarding whether the proposed café at Cobb's Mill Inn would constitute a permissible intensification of, or an impermissible expansion of, a pre-existing non-conforming use of Cobb's Mill. It was unanimously agreed that the J.K. Café's application would be considered within the scope of non-conforming uses at Cobb's Mill Inn as a whole, and not in the context of uses within the portion of the building proposed for the café.

At 9:50 p.m. Joe Limone called and joined the discussion, which continued for approximately another hour with Joe Limone on speaker phone.

After concluding this discussion, Stephan Grozinger moved that the Commission approve the draft application dated January 26, 2013, submitted by 12 Old Mill Road LLC by Drew Friedman, a member thereof, for a Zoning Permit for those interior renovations and concomitant equipment installations for the J.K. Café at Cobb's Mill Inn, 12 Old Mill Road, Weston CT., and only said renovations and equipment as specifically set forth on the plan entitled "J.K. Cafe @ Cobb's Mill Inn Proposed" and the hand written equipment list submitted therewith. No other or further interior or exterior use, work or other activity is permitted in or about those premises. The Planning & Zoning Commission finds that the proposed J.K. Café at Cobb's Mill Inn, is an intensification of the nonconforming restaurant use that exists at 12 Old Mill Road and is not an expansion of that nonconforming use.

COBB'S MILL CONT:

Seconded by Britta Lerner

Additional Discussion: Ken Edgar noted his specific concerns regarding the traffic, parking and pedestrian situation that could be caused as a result of the operation of the JK Café.

Vote in favor: (6-1) Ken Edgar nay.

APPROVAL OF MINUTES:

Ken Edgar moved that the Commission approve the minutes of March 18th, 2013, edited by Ken Edgar. Seconded by Britta Lerner. Vote in favor (4-0) Abstaining: Stephan Grozinger, Jane Connolly and Pierre Ratte, who were absent from that meeting.

OTHER BUSINESS:

The Land Use Director stated that the Zoning Enforcement Officer is going on vacation and a temporary replacement is needed from April 22-26.

Stephan Grozinger moved that the Commission approve that the Land Use Director fill in for the Zoning Enforcement Officer from April 22-26. Vote in favor (7-0)

The Land Use Director stated that the bridge is now down at Cobb's Mill as required by the Conservation Commission.

Meeting adjourned.

Respectfully submitted.

Joan Lewis, Administrative Assistant

Approval: Approved 5/6/13 TDK